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BC8

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/151,555 09/11/98 HAZRA

R 42390.P5277

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WM31/0801

EXAMINER

ROGERS, S

ART UNIT	PAPER NUMBER
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2624
DATE MAILED:

9
08/01/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/151,555

Applicant(s)
Hazra et al

Examiner
Scott Rogers

Art Unit
2624



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 11, 2001
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-29 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

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DETAILED ACTION

Applicant's arguments filed May 11, 2001 have been fully considered but they are not persuasive.

Applicant argues features of the invention described on pages 11 of the specification but which are more broadly claimed. The image encoder 24 in Go, encodes the edge information (Cs) and the multiplexer 26 combines the reduced image information (Cr) and the edge information (Cs) into an encoded image. Applicant's claims broadly read on the combination of this feature in Go, and the generation of an edge detection map taught by Fan. Applicant further argues that Go does not recognize the problem dealt with by the claimed subject matter and does not contemplate compression of edge detection data prior to transmission. However, applicant's claims do not include any limitation which would address a specific problem which would distinguish the claims over Go. It is also noted that Go does in fact perform compression of edge detection data by encoder 24 prior to transmission via I/O 28.

Applicant argues features of the invention described on pages 7-8 of the specification but which are not specifically claimed. The edge detection method claimed broadly reads on the approach taken by Go. Applicant also argues that Fan and Go are not combinable, but does not offer any specific argument or reasoning that can be considered.

Finally, applicant challenges the examiner to produce a reference showing it is known in the art to transmit associated data separately, eliminating the need (or providing an alternative) to perform multiplexing and demultiplexing. Applicant again argues features of the invention

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described on page 10 of the specification but which are not specifically claimed. To the extent the feature of transmitting image data and edge direction data separately is claimed, the rejection below has been augmented by citing a reference disclosing the feature of transmitting associated image data separately.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-7, 11-17, 19-27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over a combination of Fan (US 5359676) and Go (US 5878172) as set forth in the prior Office action.

Claims 8-10, 18, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan and Go, as applied to claims 6, 17, and 27 above, and further in view of Chamzas et al (US 4870497) or other well known prior art (MPEP 2144.03).

It is well known in the prior art to transmit associated image data separately. For example, Chamzas et al teach encoding and transmitting separately, supplemental image data required to upgrade image resolution. While transmission of the supplemental image data is not limited to, but may include multiplexing, it is important to note that multiplexed data is separately distinguishable and is transmitted separately in time. See col. 6, lines 1-30.

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While the combination of Fan and Go transmits the coded edge detection map and associated image data multiplexed together, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have transmitted the coded edge detection map and associated image data separately in view of Chamzas or other well known prior art in order to allow the first encoded image data received to be used without necessarily needing the supplemental image data, therefore decreasing the time required for transmission before useable image data is received.

see cd. 6, lines 10-15
While the combination of Fan and Go does not store either together or separately the coded edge detection map and associated image data, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have provided such storage as it is well known in the art to store either together or separately associated data and such storage would provide the advantage of archiving the data in a compressed form requiring less storage capacity and eliminating the need to again code the data for repeated or later transmission.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any response to this final action should be mailed to:

Box AF
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for *formal* communications; please mark "**EXPEDITED PROCEDURE**")
(703)306-5406 (for *informal* or *draft* communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry concerning this application should be directed to **Scott Rogers** at (703) 305-4726 or Internet e-mail address **scott.rogers@uspto.gov**. The TC 2600 receptionist telephone number is (703) 305-4700 or 4750. The main facsimile number for TC 2600 is (703) 872-9314.



SCOTT A. ROGERS
PRIMARY EXAMINER
ART UNIT 2624

July 19, 2001